

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7796 OF 2006.

M/s.Ganatra Hotels Pvt.Ltd. ... Petitioner.
Versus.
The State of Maharashtra & anr. ... Respondents.

Shri Vivek Kantawala i/by M/s.Vivek Kantawala & Co. for
the Petitioner.
Shri P.H.Khemani, A.G.P. for Respondent No.1.
Shri H.Kadiari i/by M/s.Haresh Jagtiani & Associates for
the Respondent No.2.

CORAM : ABHAY S.OKA, J.

DATED : 21st February, 2007.

P.C.:

1. Heard the learned Advocate for the Petitioner. By this writ petition under Article 227 of the Constitution of India, the Petitioner (original Defendant) has challenged an order dated 28th July 2006. By the said order, a prayer made in the reply filed by the original Plaintiff at Exh.45 has been granted and the original Plaintiff has been permitted to examine three witnesses. The order is purely interlocutory. In the event the Petitioner fails in the suit and decree is passed against the Petitioner, the said order can always be impugned in an Appeal which may be preferred by the Petitioner against the decree passed in the suit. Subject to what is stated above, the petition is not entertained and the same is rejected.

Judge.